

SUPPORT FOR THE AMENDMENT

This Amendment cancels Claims 16-20; amends Claims 1-5 and 8-12. Support for the amendments is found in the specification and claims as originally filed. In particular, support for "there is the main absorption of a photosensitizer between 600nm and 800nm" is found in the specification at least at page 5, lines 2-11. Support for a lighting system that includes a filter that either "cuts out light of a wavelength greater than 800nm and light of a wavelength less than 600nm" or "transmits only light in the vicinity of 405nm and cuts out light of shorter or longer wavelengths" is found in the specification at least at page 11, lines 11-17. No new matter would be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-15 will be pending in this application. Claims 1 and 8 are independent.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

The present invention provides an irradiation apparatus that contains a discharge lamp and a lighting system capable of applying light radiation from the discharge lamp to a photosensitizer having a relatively large adsorption coefficient within certain wavelength ranges suitable for photodynamic therapy (PDT) or photodynamic diagnosis (PDD). For PDT, light capable of penetrating tissue and having wavelengths in the range of 600nm-800nm is used. For PDD, light capable of causing the photosensitizer to fluoresce and having wavelengths in the range of 400-440nm is used. By including a specific light filter, the irradiation apparatus of the present invention emits minimal light outside the wavelength ranges suitable for PDT and PDD, which reduces the sensation of heat experienced by

patients undergoing PDT or PDD using conventional discharge lamps emitting unnecessary wavelengths.

Claims 1-3, 6-7, 14 and 16-20 are rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,942,850 ("Rutan"). In addition, Claims 1, 3-8 and 10-20 are rejected under 35 U.S.C. § 102(b) over Masato. Claims 1 and 4-5 are rejected under 35 U.S.C. § 103(a) over Rutan in view of JP54-30228 ("Tokyo").

Rutan discloses a miniature projection lamp which includes a glass envelope having critical size and design specifications. Rutan's glass envelope is filled with critical amounts of argon, mercury and metal halide material to provide color balance and provide the red, green and blue colors needed for proper color projection. Rutan at abstract; column 1, lines 4-7, 65-67; column 4, lines 36-42.

Masato discloses a metal vapor discharge lamp encapsulating specific metal halides together with rare gas or mercury to increase light emission in the near infrared region. Masato at English-language abstract.

Tokyo discloses a metal vapor discharge lamp filled with a rare earth metal halide, sodium halide, potassium halide and/or rubidium halide. Tokyo at English-language abstract.

However, the cited prior art fails to suggest the limitations of independent Claims 1 and 8 of an "irradiation apparatus ... comprising ... a discharge lamp ...; and a lighting system ..., where the lighting system includes a *filter*...". The filter reduces the amount of light outside of the wavelength range suitable for PDT and PDD that is emitted by the irradiation apparatus, and thus reduces the sensation of heat experienced by patients undergoing PDT or PDD. Because the cited prior art fails to suggest all the limitations of the claimed invention, the rejections under 35 U.S.C. § 102(b) and § 103(a) should be withdrawn.

Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. To obviate the rejection, Claims 16-20 are canceled, and independent Claims 1 and 8 are amended by deleting the phrase "wherein tin or rare earth metal is not filled".

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

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